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**IN THE UNITED STATES DISTRICT COURT**

**FOR THE DISTRICT OF ARIZONA**

IN RE: Bard IVC Filters Products Liability  
Litigation

MDL NO.: 15-02641-PHX-DGC

This Document Relates to:

EVAN HULICK,

Plaintiff,

Case No.: CV17-3178 PHX DGC

v.

C.R.BARD, INC., a New Jersey  
Corporation; and BARD PERIPHERAL  
VASCULAR INC., an Arizona  
Corporation, and NEOMETRICS, INC.,

Defendants.

**NOTICE OF FILING  
AMENDED MASTER SHORT FORM  
COMPLAINT FOR DAMAGES FOR  
INDIVIDUAL CLAIMS**

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**C O U N S E L:**

Pursuant to Local Rule of Civil Procedure 15.1 (b). Plaintiff Evan Hulick respectfully submits this Notice of Filing of the Amended Master Short Form Complaint for Damages for Individual Cases and Demand for Jury Trial. Attached as Exhibit A is a copy of the amended complaint that indicates in which respects it differs from the original complaint and as amending the original complaint Plaintiff Evan Hulick now files his Amended Master Short Form Complaint for Damages for Individual Claims in MDL 2642 by reference (Doc. 364).

RESPECTFULLY SUBMITTED this 12th day of October 2017.

SHAFRAN & ROCK, PLLC

BY: \_\_\_\_\_

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Bard Peripheral Vascular, Inc.

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Plaintiff named below, for his Complaint against Defendants named below, incorporate the Master Complaint for Damages in MDL 2641 by reference (Doc.364). Plaintiff further shows the Court as follows:

1. Plaintiff: Evan Casey Hulick
2. Spousal Plaintiff – not applicable.
3. Other Plaintiff – not applicable.
4. Plaintiff's State of residence at time of implant: NEW YORK.

5. Plaintiff's State of residence at time of injury: NEW YORK.
6. Plaintiff's current State of residence: NEW YORK.
7. District Court and Division in which venue would be proper absent direct filing:  
UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ARIZONA
8. Defendants:  
☒ C.R. Bard, Inc.  
☒ Bard Peripheral Vascular, Inc.  
☒ Neometrics, Inc.
9. Basis of Jurisdiction:  
  
☒ Diversity of Citizenship  
  
Other:
10. Defendants' Inferior Vena Cava Filter about which Plaintiff is making a claim:  
Denali IVC implanted January 2, 2016. Explant on 9/22/16 with Bard recovery cone.  
Migration issues – detachment of opaque marker ring of retrieval device.
11. Date of Implantation of each product: January 2<sup>nd</sup>, 2016 – Denali IVC filter  
9/22/16 – Recovery Cone Retrieval System.
12. Counts in Master Complaint brought by Plaintiff:  
  
Count I: Strict Products Liability – Manufacturing Defect  
  
Count II: Strict Products Liability – Information Defect (Failure to Warn)  
  
Count III: Strict Products Liability – Design Defect  
  
Count IV: Negligence – Design  
  
Count V: Negligence – Manufacture;  
  
Count VI: Negligence – Failure to Recall/Retrofit  
  
Count VII: Negligent – Failure to Warn  
  
Count VIII: Negligent Misrepresentation;

Count IX: Negligence Per Se

Count X: Breach of Express Warranty;

Count XI: Breach of Implied Warranty;

Count XII: Fraudulent Misrepresentation

Count XIII: Fraudulent Concealment;

Count: XIV: Violations of Applicable New York Law Prohibiting Consumer Fraud and Unfair and Deceptive Trade Practices

Count XV: Loss of Consortium

Count: XVI: Wrongful Death

Count XVII: Survival

Punitive Damages

Other(s)

13. Jury Trial demanded for all issues so triable?

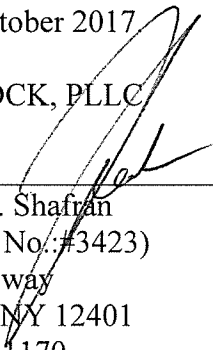
☒ Yes

☐ No

RESPECTFULLY SUBMITTED this 12th day of October 2017

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